

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: December 15, 2015
SUBJECT: BZA Case 19138, 441 Rhode Island Avenue, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 2101.1 (1 parking space required, 0 parking spaces provided).

II. LOCATION AND SITE DESCRIPTION

Address	441 Rhode Island Avenue, N.W.
Legal Description	Square 508N, Lot 16
Ward	6, 6E
Lot Characteristics	The subject lot is 'L' shaped, having 57.15 feet of frontage along Rhode Island Avenue. The rear of the lot is 9.81 feet in width, abutting a 5 foot wide public alley. The west side of the property is 28.82 feet in length, while the west side, which extends to the public alley, is 46.65 feet in length.
Zoning	R-4 – row dwellings.
Existing Development	The property currently consists of a flat featuring two two-bedroom units. The building was recently completed and is not occupied, as a Certificate of Occupancy has not been issued.
Adjacent Properties	Adjacent properties are generally residential, with all buildings in the square functioning as dwellings, with the exception of a multifamily building at the northwest corner of Rhode Island Avenue and New Jersey Avenue. To the south, across Rhode Island Avenue, are a gas station and a four story multifamily building.
Surrounding Neighborhood Character	The surrounding neighborhood character is moderate density residential along the north side of Rhode Island Avenue, and moderate density mixed use along the south side of Rhode Island Avenue. Rhode Island Avenue, also U.S. Highway 1, is a main corridor in the District, and features a variety of neighborhood uses.

III. APPLICATION IN BRIEF

The Applicant has constructed a two-unit building consisting of two bedroom units. Building permits for the new construction were issued subject to DDOT's approval of a curb cut on Rhode Island Avenue that would accommodate the required parking space. However, as DDOT will not approve the curb cut, parking cannot be provided on the site. As a result, the Applicant has requested a variance for the required parking space so that the Certificate of Occupancy can be issued, and the building may be occupied.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 District	Regulation	Existing	Relief
Height § 400	40 ft. max.	Not provided	Not requested
Lot Width § 401	18 foot min.	57.1 ft.	None required
Lot Area § 401	1,800 SF min.	1,487 SF	None required
Lot Occupancy § 403	60% max.	56%	None required
Rear Yard § 404	20 ft. min.	22 ft.	None required
Side Yard § 405	8 ft. min. (if provided)	9 ft.	None required
Parking § 2101	1 space min.	0 spaces	Required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 2101, Parking Spaces

i. Exceptional Situation Resulting in a Practical Difficulty

The property is located on Rhode Island Avenue, which participates in the Residential Parking Permit program for Zones 2 and 5. It was recently developed as a new flat, housing two two-bedroom units. Building permits were issued based on plans that were provided to DCRA depicting a curb cut that would provide access to the required parking space. However, the Public Space Committee did not approve the requested curb cut, resulting in the Applicant not being able to provide the parking space.

There is a public alley that abuts the north property line; however, at five feet wide, it is not wide enough to accommodate vehicles. As a result, it is practically difficult to provide parking on the subject lot.

ii. No Substantial Detriment to the Public Good

The 'L' shaped lot has frontage directly on Rhode Island Avenue, which is a high-volume corridor. The Shaw-Howard Metro station is located 0.3 miles from the site, resulting in a higher concentration of pedestrians in this area. Providing a curb cut at this location would increase the opportunities for pedestrian and vehicle conflicts, which would cause substantial detriment to the public good. On-street parking is available in this neighborhood through the Residential Permit Parking program, and it is not anticipated that the addition of one vehicle into this program would be detrimental to the neighborhood.

iii. No Substantial Harm to the Zoning Regulations

It is not expected that the lack of one parking space would cause substantial harm to the Zoning Regulations. The site is located within a short walking distance to a Metro station, where a higher density and increased reliance on public transportation is anticipated. The site is also well-served by several bus lines and is close to neighborhood amenities, including a public library, post office and playgrounds. The lot is also within walking distance to neighborhood services located on 7th Street, Florida Avenue, and U Street. In addition, not having a parking space preserves the integrity of the public space, ensuring that it continues to be easily navigable by pedestrians.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

It is anticipated that DDOT will file a report under separate cover.

VII. COMMUNITY COMMENTS

As of the date of this writing, the Applicant has not presented the requested variance to the ANC, and OP has not received any comments from the community.

Attachment: Location Map

